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August 19, 2020

The Honorable Norman K. Moon
United States District Court
Western District of Virginia
255 West Main Street
Charlottesville, VA 22902

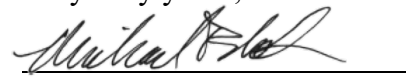
Re: Sines et al. v. Kessler et al., No. 3:17-cv-00072 (NKM) (JCH)

Dear Judge Moon:

We write on behalf of Plaintiffs to request a conference with the Court to discuss logistical considerations concerning our upcoming trial, currently scheduled for October 26, 2020. As Your Honor is aware, we have recently completed the bulk of fact discovery and are conducting motions practice as contemplated by the Court's November 15, 2019 scheduling order. ECF No. 589. The parties anticipate approximately a four-week jury trial with the nine remaining Plaintiffs and 20 remaining individual and entity Defendants. As we continue to monitor the developments regarding COVID-19 both in Virginia and across the country, we have become increasingly concerned that conducting a comprehensive and constitutionally adequate jury selection process in approximately two months from now – not to mention a jury trial itself involving this many parties, litigants, and witnesses – may ultimately prove untenable and potentially dangerous from a public health perspective.

Given the scope and complexity of this case, preparation for trial, which is now underway, will be costly and require significant advance planning for parties and witnesses, all of which has been made more logistically complicated given the safety precautions we must all observe to keep parties, litigants, witnesses, jurors and court personnel safe and healthy. This case also presents certain security concerns that only increase those complications, including necessary coordination with the Court as well as the marshals in charge of courthouse security. With that in mind, Plaintiffs request a conference with the Court and all parties at the Court's earliest convenience to discuss these potential barriers to proceeding with a jury trial on October 26, 2020.

Very truly yours,


Michael L. Bloch, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2020, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

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I further hereby certify that on August 19, 2020, I also served the following non-ECF participants, via electronic mail, as follows:

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